

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject

Legislative Advocacy

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Purpose

To establish the Board of Supervisors' policy regarding legislative advocacy, which includes advocacy on policy and non-policy issues, pending legislation, and written correspondence to legislators, other elected officials and policy makers.

Background

An effective program of legislative representation includes advocating the legislative policies of the Board of Supervisors before members, committees, and staffs of the state Legislature; and Congress, before staffs of state and federal agencies and commissions, and before the office of the Governor and President (hereinafter referred to as governmental bodies). Occasionally it may be necessary to direct legislative advocacy activities toward local or regional decision-making bodies. These bodies may include city councils, San Diego Association of Governments (SANDAG), Metropolitan Transit Development Board (MTDB), North County Transit District Board (NCTD), the Regional Airport Authority, the Unified Port of San Diego, and school Boards.

Normally, the timing of such advocacy needs will permit the prior notification and authorization of the Board of Supervisors. At times, however, advance notification and authorization will be impracticable due to the press of County business or time constraints in Sacramento or Washington (e.g., during the early formative stages of important pieces of legislation, or during peaks in legislative activity when the sheer volume of legislative decision-making compresses reaction times). It is the purpose of this policy to provide the parameters within which such advocacy efforts shall be undertaken.

Policy

The legislative advocacy policy of the County of San Diego is as follows:

A. Advocacy by County Staff

1. Appropriate County staff shall be authorized to advocate positions consistent with Board policies contained in the Policy Manual, Legislative Guidelines, or specific Board actions before governmental bodies and local or regional decision-making bodies. Such advocacy efforts shall not require the prior specific authorization of the Board of Supervisors. "Appropriate County Staff" shall include the following:

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- a. The Chief Administrative Officer, or his or her designee,
- b. County Legislative Representatives,
- c. The Director of Strategy and Intergovernmental Affairs.

2. The Director of Strategy and Intergovernmental Affairs may authorize other County staff, as appropriate, to advocate the Board's legislative policies before governmental bodies and local or regional decision-making bodies.

B. Advocacy Involving Policy Issues

1. Advocacy efforts involving policy issues not contained in the Board of Supervisors Policy Manual, Legislative Guidelines, or not reflected in prior Board positions shall require the prior specific authorization of the Board of Supervisors.

2. The Director of Strategy and Intergovernmental Affairs shall, when possible, present proposed testimony and related materials to the Board of Supervisors two weeks before the scheduled testimony. Preparation of testimony and materials shall be coordinated with the Office of Strategy and Intergovernmental Affairs.

3. The Office of Strategy and Intergovernmental Affairs shall coordinate the scheduling of presentations before governmental bodies with the County's Legislative Representatives.

C. Advocacy Involving Prior Board Positions on Pending Legislation

1. Legislative positions adopted by the Board on pending legislation shall remain in effect during the current or immediately preceding biennial session of the State Legislature and during the current or any preceding session of the Congress, for which the Board adopted a resolution that remains in effect.

2. Appropriate County staff, as defined above, shall be authorized to advocate positions on current pending legislation that is consistent with positions previously adopted by the Board on pending legislation.

3. The Director of Strategy and Intergovernmental Affairs may authorize County staff to advocate positions on current pending legislation that is consistent with positions previously adopted by the Board on pending legislation.

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4. The Director of Strategy and Intergovernmental Affairs shall provide written notification to the Board of Supervisors before or concurrently with the authorization to take advocacy actions based on prior Board positions.

D. Advocacy Involving Non-Policy Issues

1. The Director of Strategy and Intergovernmental Affairs shall decide, in each case, whether proposed presentations before governmental bodies, and local or regional decision making-bodies are of a policy or non-policy nature. Information of a non-policy nature shall be defined as technical or factual in nature. In cases in which the nature of the proposed presentation is not clear, the Director shall obtain the concurrence of the Chair of the Board.

2. Appropriate County staff and staff authorized by the Director of Strategy and Intergovernmental Affairs may present to governmental bodies and local or regional decision-making bodies information of a non-policy nature without prior specific Board authorization.

3. Presentation of a non-policy nature shall be coordinated with the Office of Strategy and Intergovernmental Affairs.

4. The Director of Strategy and Intergovernmental Affairs shall, in all cases, provide written notification to the Board of Supervisors before or concurrently with the authorization of any such presentations made on behalf of the Board.

E. Communications with Elected Officials

1. Written correspondence to federal, state or local elected officials on behalf of the County shall be transmitted over the signature of a member of the Board of Supervisors or the Chief Administrative Officer.

a. The Chief Administrative Officer may delegate signature authority if necessary and appropriate.

b. This limitation shall not affect correspondence on behalf of the County initiated by the County's Sacramento and Washington Representatives.

2. Before seeking the signature of the appropriate County official, as described above, County departments shall route such written correspondence for review and concurrence through the Office of Strategy and Intergovernmental Affairs.

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3. The Director of Strategy and Intergovernmental Affairs shall provide copies of written correspondence covered by this section to the Board of Supervisors before or concurrently with mailing.

4. Appropriate County staff (as defined) communicate the County's position to elected officials. All other direct communications with elected officials, whether written or oral, shall be coordinated with the Director of Strategy and Intergovernmental Affairs.

Responsible Department

Office of Strategy and Intergovernmental Affairs

Sunset Date

This policy will be reviewed for continuance by 12-31-11.

References

Board Action 2-11-75 (67)

Board Action 8-17-77 (9)

Board Action 12-17-80 (12)

Board Action 12-11-84 (20)

Board Action 4-19-88 (6)

Board Action 6-16-98 (2)

Board Action 10-31-06 (14)